

REMARKS

Preliminary Matters

Claims 1-3 are all the claims pending in the application. Claims 1-3 stand rejected. The Examiner has not acknowledged Applicants' claim to foreign priority and receipt of the certified copies of the priority documents (from the International Bureau). Accordingly, Applicant respectfully requests that the Examiner acknowledge the aforementioned claim to priority and acknowledge receipt of the priority documents. The Examiner has accepted the drawings filed on July 14, 2006 as indicated by the appropriate box checked under the heading Application Papers in the Office Action Summary. The Examiner also has not considered the references cited with the IDS filed on July 14, 2006 and the IDS filed on July 17, 2008, but has considered the references cited with the IDS filed on November 17, 2008. Applicant respectfully requests that the Examiner properly sign and forward copies of the PTO SB08 forms submitted with the aforementioned IDSs with the next office paper.

Requirement Under 37 C.F.R §1.105

The Examiner requests copies and machine translations of the applications JP 2002-334013 A, JP 11-39341 A, and JP 5-165775 A. This requirement is improper in the present case because 37 C.F.R. §1.105 does not require that Applicant provide such full machine translations. The USPTO's informal internal guidelines specify that, since requirements under 37 C.F.R. §1.105 place a substantial burden on the Applicant, such requirements should only be made where the need is compelling and where the references are not available after a thorough search of typical patent search databases. The aforementioned three references (and English translations thereof) are readily available from typical patent search databases. Thus, the

Examiner's request under 37 C.F.R. §1.105 is not appropriate. Nevertheless, in an effort to expedite prosecution, Applicant hereby submits machine translations of the requested references. Therefore, Applicant respectfully requests that the Examiner withdraw this requirement. Applicant notes that the Examiner states that the fee and certification requirements of 37 C.F.R. § 1.97 are waived for documents submitted in reply to this requirement.

Information Disclosure Statement

The Examiner alleges that the listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 C.F.R. § 1.98. During the telephone interview conducted on December 24, 2008, the Examiner indicated that the "Search Report" mentioned on pages 2-3 of the Office Action refers to the Search Report received by the USPTO on June 6, 2008. However, Applicant notes that all of the references cited in the aforementioned Search Report were properly cited in the IDS filed on June 6, 2008 and that the Search Report was merely submitted in compliance with the requirement for a concise explanation of relevance.

Claim Rejections - 35 U.S.C. §101

The Examiner rejects claim 2 as allegedly directed towards non-statutory subject matter under 35 USC §101 because it allegedly does not recite any physical article in its body. Without conceding to the merits of the Examiner's rejections, Applicant has amended claim 2, as set forth above, and as a result of such amendments, the Examiner's rejections are now moot.

Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 1-3 under 35 U.S.C. §102(b) as allegedly being anticipated by US Pat. 6,167,401 to Csipkes et. al (Csipkes). Applicant traverses these rejections for at least the following reasons.

Claim 1

Amended claim 1 recites, among other things, “a presence/absence judgment column” and “a document indicating a meaning of a presence/absence judgment column.” If a computer apparatus is not connected to a network, “an alternative image preliminarily set in a presence/absence judgment column” and “a document indicating a meaning of the column” are displayed on the computer. As a result, according to an exemplary embodiment of the invention, even a beginner unaccustomed to operation of the computer can easily determine that the computer is not connected to a network. Further, since, consistent with illustrative embodiments, the meaning of the column can be visually provided, the user can be free from the stressful task of trying to understand the meaning of different error messages.

In contrast, Csipkes is directed towards a system for manufacturing assembling products, and the configuration and subject of the system are different from those of the present invention. For example, Csipkes teaches that if a component of software does not detect a valid connection to the manufacturing control network, then, the network status box in the top center of the screen will turn red (Line 38-42, Column 6). Thus, Csipkes merely teaches colorizing the status box. However, Csipkes does not display “a document indicating a meaning of a presence/absence judgment column” as recited in claim 1. Thus, at least, this element of claim 1 is disclosed or suggested by the present invention and the cited reference.

In addition, Csipkes is not designed to help a beginner computer user, or a user unaccustomed to the operation of the computer, to learn what the meaning of the red "log in" network status box is. A beginner computer user would not be able to easily deduce the meaning of such coloring in Csipkes without having prior knowledge of the system or significant knowledge of computer systems in general. Thus, it is clear from Csipkes, that a user unaccustomed to operation of a computer can not easily decide whether the computer apparatus is connected to the network, which is in sharp contrast to claim 1. It is apparent, then, that Csipkes does not disclose or suggest the elements of claim 1.

Therefore, Applicant submits that claim 1 is not anticipated by Csipkes for at least these reasons, and Applicant respectfully requests that the Examiner withdraw this rejection. Applicant further submits that claims 2-3 are similar to claim 1, and claims 2-3 are also patentable for at least the reasons discussed above. Accordingly, Applicant respectfully requests that the Examiner withdraw all of these rejections.

Claim Rejections - 35 U.S.C. § 102 - Wang

Claims 1-3 have been rejected under 35 U.S.C. §102(e) as being unpatentable over US Pub. 2005/0210123 A1 to Wang et. al (Wang). This rejection is traversed because Applicants' invention patentably distinguishes over the reference. However, since the priority date of the present application, January 16, 2004, is earlier than the U.S. filing date of the cited Wang reference, March 8, 2005, Wang is not considered prior art, and the §102 rejection is improper. Applicants submit herewith a verified translation of the priority document (Japanese Application No. 2004-008964) in order to perfect the claim for priority. Accordingly, Applicant respectfully requests that the rejection of claims 1-3 under 35 U.S.C. §102 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 12, 2009


Ayar M. Afridi
Registration No. 63,444